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IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 7129 • Boise, ID 83707-1129
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**Idaho Transportation Board
Subcommittee on Policies**

September 27, 2023

1:00 PM
Idaho Chinden Campus
11331 W. Chinden Blvd., Building 8, Boise
Canyon Creek Conference Room

To call in:
1-208-473-7075, 559985488#
Meeting number (access code) 282 145 389 908
Meeting password yA5bhy

	<u>Page</u>	<u>Time*</u>
<u>ACTION ITEMS</u>		
1. Welcome and Preliminary Matters – Chairman Bob Hoff Formal approval of February 23, 2023 Subcommittee meeting minutes	2	1:00
2. Policies 4070 & 5070: ATV, Utility Type Vehicles, Specialty Off Highway Vehicles, Motorbike and Snowmobile Travel and Crossing on the State Highways Traffic Operations Manager Kevin Sablan Discussion and Recommendation – Chairman Hoff	4	1:05
3. Policy 5012: Protecting and Maintaining State Highways Maintenance Operations Manager Steve Spoor Discussion and Recommendation – Chairman Hoff	8	1:15
4. Adjourn (estimated time)		1:30

*Listed times are estimates only.

Idaho Transportation Board Subcommittee on Policies
Chinden Campus, Building 8, February 23, 2023

Idaho Transportation Board Subcommittee on Policies Chairman Bob Hoff called the meeting to order at 8:00 AM on February 23, 2023. Chairman Hoff, District 3 Member Julie DeLorenzo and District 1 Member James R. Thompson were present.

Key principal Subcommittee staff members and advisors Deputy Attorney General Tiffany Hales, Highway Development Administrator/Chief Engineer (HDA/CE) Blake Rindlisbacher, and Executive Assistant to the Board Lorraine Dennis were present. LHTAC Administrator Laila Kral was also present.

Subcommittee Chairman Hoff welcomed the participants.

Minutes. Member Thompson made a motion to approve the minutes of the June 15, 2022, meeting as submitted. Member DeLorenzo seconded the motion and it passed.

Policy 5068, Division of Motor Vehicles/County Automated Systems. Motor Vehicle Administrator Lisa McClellan reviewed the policy and stated the changes were necessary to reflect current practices that were redefined about three years ago. The changes include establishing objective thresholds for equipment requests based on transaction volume, requiring cybersecurity devices and software to be Payment Card Industry (PCI) compliant, includes specific training, and outlines roles and responsibilities for use of ITD equipment, network and data.

Member DeLorenzo asked if the policy addresses permanent office closures. MVA McClellan responded it does so staff has the proper lead-time.

In response to Chairman Hoff's question about including the counties, MVA McClellan stated staff worked in corporation with them throughout the process.

Member DeLorenzo made a motion, seconded by Member Thompson, to concur with staff's policy revisions.

New Policy 5561, On-Call Policy. Chief Administrative Officer Dave Tolman reported on the department's new on-call policy. The policy is modeled after the Division of Human Resources' policy. The purpose of the policy is to establish the parameters for employees required to be available in an on-call status outside normal work schedule. He reviewed the definitions and expectations such as employees are required to carry ITD-approved communication devices and remain in condition fit for duty. If not called to return to work, employees will accrue two hours for a maximum of 14 hours per week. Covered/non-exempt employees will get paid out on hours earned, but not taken, in successive six-month intervals. CAO Tolman stated the department is working through technical issues to implement the new policy and will coordinate bring it to the Board with that effort.

In response to Member Thompson's question regarding if other agencies would use this policy, CAO Tolman stated each agency would have their own policy.

Member Thompson made a motion, seconded by Member DeLorenzo, to concur with staff's proposal to implement a new on-call policy.

The meeting adjourned at 8:18 A.M.

Respectfully submitted by:
LORRAINE DENNIS
Executive Assistant
Idaho Transportation Board



ALL-TERRAIN VEHICLES, UTILITY TYPE VEHICLES, SPECIALTY OFF-HIGHWAY VEHICLES, MOTORBIKE AND SNOWMOBILE TRAVEL AND CROSSING ON THE STATE HIGHWAYS

Purpose

This policy authorizes the Director to designate sections of state highways over which certain vehicles may be allowed or prohibited to travel upon and cross.

Legal Authority

Idaho Code 49-426(4) - The Board has the authority to regulate travelling upon and crossing of state highways by certain types of vehicles registered under Title 67, rather than Title 49.

Idaho Code 67-7109(1) - Snowmobiles prohibited from crossing controlled access highways.

Idaho Code 67-7109(4) - Snowmobiles may be operated on that portion of a highway or public roadway right-of-way not maintained or utilized for operation of conventional motor vehicles.

The Board directs the Department to create and publish a policy regarding travelling upon and crossing of state highways by all-terrain vehicles, utility type vehicles, specialty off-highway vehicles, motorbikes and snowmobiles.

A handwritten signature in blue ink, appearing to read 'Jerry Whitehead', written over a horizontal line.

Jerry Whitehead
Board Chairman

Approved by the Board on:

Date 02/18/16



~~ALL TERRAIN VEHICLES, UTILITY TYPE VEHICLES, SPECIALTY OFF-HIGHWAY VEHICLES, MOTORBIKE AND SNOWMOBILE TRAVEL AND CROSSING ON THE STATE HIGHWAYS~~

Purpose

~~This policy authorizes the Director to designate sections of state highways over which certain vehicles may be allowed or prohibited to travel upon and cross.~~

Legal Authority

~~Idaho Code 49-426(4) - The Board has the authority to regulate travelling upon and crossing of state highways by certain types of vehicles registered under Title 67, rather than Title 49.~~

~~Idaho Code 67-7109(1) - Snowmobiles prohibited from crossing controlled access highways.~~

~~Idaho Code 67-7109(4) - Snowmobiles may be operated on that portion of a highway or public roadway right-of-way not maintained or utilized for operation of conventional motor vehicles.~~

~~The Board directs the Department to create and publish a policy regarding travelling upon and crossing of state highways by all terrain vehicles, utility type vehicles, specialty off-highway vehicles, motorbikes and snowmobiles.~~

A handwritten signature in blue ink, appearing to read 'Jerry Whitehead', written over a horizontal line.

Jerry Whitehead
Board chairman

Approved by the Board on:

Date 02/18/16



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ADMINISTRATIVE POLICY 5070

Page 1 of 1

**ALL-TERRAIN VEHICLES, UTILITY TYPE VEHICLES, SPECIALTY OFF-HIGHWAY VEHICLES,
MOTORBIKE AND SNOWMOBILE TRAVEL AND CROSSING ON THE STATE HIGHWAYS**

Purpose

The purpose of this policy is to implement Board Policy 4070 authorizing the Director to designate sections of state highways upon which certain vehicles may travel and cross.

Legal Authority

- Idaho Code 49-426(4) - The Board has the authority to regulate travel upon and crossings of state highways by certain types of vehicles registered under Idaho Code.
- Idaho Code 67-7109(1) - Snowmobiles are prohibited from crossing controlled access highways.
- Idaho Code 67-7109(4) - Snowmobiles may be operated on that portion of a highway system or roadway not maintained or utilized for operation of conventional motor vehicles.

Idaho Code assigns authority to the Idaho Transportation Board to designate sections of highways where all-terrain vehicles (ATVs), utility type vehicles (UTVs), specialty off-highway vehicles (SOHVs), and motorbikes may travel upon and cross. The decision-making authority has been assigned to the Director by Board Policy 4070.

Title 49 provides the following:

- 1) Within city limits, and within one mile of city limits, ATVs, UTVs, SOHVs, and motorbikes can travel on non-full access-controlled state highways if the speed limit is 45 mph or less, unless restricted by the Idaho Transportation Board.
- 2) Outside city limits (except for one mile beyond city limits), the Idaho Transportation Board may designate sections of state highways to allow ATV, UTV, SOHV, and motorbike use.
- 3) ATVs, UTVs, SOHVs, and motorbikes are permitted to cross non-full access-controlled highways at public road intersections within and outside of city limits and other locations permitted by the Idaho Transportation Board.

Any designation to allow travel upon non-full-access-controlled state highways and crossing at non-public road intersections, such as designated trail crossings, shall be supported by an engineering investigation and evaluation. The Division of Highways shall manage and track approved ATV, UTV, SOHV, and motorbike crossing points at non-public road intersections on non-full access-controlled highways as an encroachment permit in accordance with IDAPA 39.03.42 – Rules Governing Highway Right-of-Way Encroachments on State Rights-of-Way.

The Division of Highways shall establish guidelines and considerations when evaluating areas on the State Highway system to allow crossings by ATVs, UTVs, SOHVs, and motorbikes. Responsibility to administer the approval, management, and tracking of these areas is hereby assigned to the Chief Operations Officer.

Brian W. Ness
Director

Date 3/13/2019



~~ALL TERRAIN VEHICLES, UTILITY TYPE VEHICLES, SPECIALTY OFF-HIGHWAY VEHICLES,
MOTORBIKE AND SNOWMOBILE TRAVEL AND CROSSING ON THE STATE HIGHWAYS~~

~~Purpose~~

~~The purpose of this policy is to implement Board Policy 4070 authorizing the Director to designate sections of state highways upon which certain vehicles may travel and cross.~~

~~Legal Authority~~

~~— Idaho Code 49426(4) — The Board has the authority to regulate travel upon and crossings of state highways by certain types of vehicles registered under Idaho Code.~~

~~Idaho Code 67-7109(1) — Snowmobiles are prohibited from crossing controlled access highways.~~

~~Idaho Code 67-7109(4) — Snowmobiles may be operated on that portion of a highway system or roadway not maintained or utilized for operation of conventional motor vehicles.~~

~~Idaho Code assigns authority to the Idaho Transportation Board to designate sections of highways where all-terrain vehicles (ATVs), utility type vehicles (UTVs), specialty off-highway vehicles (SOHVs), and motorbikes may travel upon and cross. The decision-making authority has been assigned to the Director by Board Policy 4070.~~

~~Title 49 provides the following:~~

~~1) Within city limits, and within one mile of city limits, ATVs, UTVs, SOHVs, and motorbikes can travel on non-full access controlled state highways if the speed limit is 45 mph or less, unless restricted by the Idaho Transportation Board.~~

~~Outside city limits (except for one mile beyond city limits), the Idaho Transportation Board may designate sections of state highways to allow ATV, UTV, SOHV, and motorbike use.~~

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~~The Division of Highways shall establish guidelines and considerations when evaluating areas on the State Highway system to allow crossings by ATVs, UTVs, SOHVs, and motorbikes. Responsibility to administer the approval, management, and tracking of these areas is hereby assigned to the Chief Operations Officer.~~

A handwritten signature in black ink, appearing to read 'Brian W. Ness'.

Date 3/13/2019

Brian W. Ness
Director



PROTECTING AND MAINTAINING STATE HIGHWAYS

Purpose

This policy implements Board policy 4012 delegating the responsibility for closing or restricting state highway use and for notifying the media of closures or restrictions.

Legal Authority

- Idaho Code Section 40-310(10) - The Board is authorized to close or restrict the use of state highways when necessary to protect the public or to protect the highway from damage.

The District Engineer is responsible for closing or restricting the use of state highways when such action is necessary to protect the public or to prevent damage to the roadway. The Idaho State Police, local law enforcement officers, the State EMS Communications Center, and other responsible agencies shall be advised of the closure and when necessary their assistance may be requested.

Law enforcement personnel are empowered at their discretion, to enforce temporary delays, inform the news media of road and weather conditions, and issue travelers warnings whenever conditions warrant such action.

During regular business hours the Office of Communications, in coordination with the appropriate District Engineer or a designee, shall notify the media of roadway closures, openings, etc. During non-business hours the State EMS Communications Center, in coordination with the Office of Communications and the appropriate District Engineer or a designee, shall make the necessary notifications.

Procedures for implementing this policy are in the ITD Maintenance Manual, Section 322.

Brian W. Ness
Director

Date: _____



PROTECTING AND MAINTAINING STATE HIGHWAYS

Purpose

This policy implements Board policy 4012 delegating the responsibility for closing or restricting state highway use and for notifying the media of closures or restrictions.

Legal Authority

- Idaho Code Section 40-310(10) - The Board is authorized to close or restrict the use of state highways when necessary to protect the public or to protect the highway from damage.
- [Idaho Code Section 67-2901\(5\) – Idaho State Police authority to temporarily restrict use or close any highway.](#)

The District Engineer is responsible for closing or restricting the use of state highways when such action is necessary to protect the public or to prevent damage to the roadway. The Idaho State Police ([ISP](#)), local law enforcement officers, the State [Emergency Medical Services](#) (EMS) Communications Center, and other responsible agencies shall be advised of the closure and when necessary their assistance may be requested.

[ISP has the statutory authority to regulate traffic on all highways and roads in the state, including the authority to temporarily close or restrict the use of any highway or roadway whenever the closure or restriction of the use is deemed necessary for the safety of the public.](#)

Law enforcement personnel are empowered at their discretion, to [block the highway and](#) enforce temporary delays, inform the news media of road and weather conditions, and issue travelers warnings [through State EMS Communications Center](#) whenever conditions warrant such action.

During regular business hours, the Office of Communications, in coordination with the appropriate District Engineer or a designee, shall notify the media of roadway closures, openings, etc. During non-business hours, the State EMS Communications Center, in coordination with the Office of Communications and the appropriate District Engineer or a designee, shall make the necessary notifications.

Procedures for implementing this policy are in the ITD [Maintenance Operations](#) Manual, [Section 322 Chapter 2](#).

Date: _____

[Brian W. Ness](#) [L. Scott Stokes](#)

Director